

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 2419
Master Dkt. 1:13-md-02419-RWZ

THIS DOCUMENT RELATES TO:

All Actions

**NOTICE OF FILING REVISED QUALIFIED PROTECTIVE ORDER
CONCERNING PRODUCTION OF CERTAIN INFORMATION
MAINTAINED BY THIRD PARTY PAYORS**

On February 5, 2016, the Plaintiffs' Steering Committee ("PSC") respectfully moved the Court for entry of a Qualified Protective Order Concerning the Production of Certain Information Maintained by Third Party Payors (Dkt. 2629). The purpose of the proposed protective order was to facilitate the production of certain information maintained by providers of health care insurance ("hereinafter "Third Party Payors" or "TPPs") asserting potential liens against the recovery paid to victims from the NECC Tort Trust concerning their insureds.

After the PSC filed its motion for entry of a protective order, some clinic Defendants expressed potential objection to those portions of the proposed order that would restrict access to the lien information produced by TPPs to the Tort Trustee and to Lead Counsel for Plaintiffs. At the status conference on February 11, 2016, the PSC informed the Court that the PSC would discuss the proposed order with counsel for clinic Defendants and, if possible, submit a revised, agreed upon, proposed order.

Since that time the PSC has reached agreement on the language of a proposed Qualified Protective Order with interested clinic Defendants. The agreed-upon proposed order is attached hereto as Exhibit A. The revised order provides that the PSC will give notice to clinic

Defendants as to the nature of the information produced by TPPs to the Trustee and to Lead Counsel for purposes of resolving liens in the NECC Bankruptcy Settlement. The proposed order provides that if, after receiving notice of the nature of the information produced by the TPPs, clinic Defendants believe they are still entitled to receive the information, the parties will have an opportunity to brief the issue to the Court for determination.

As the changes made to the proposed Qualified Protective Order are agreed upon, and the PSC and the Tort Trustee believe that such a Qualified Protective Order is necessary to facilitate the resolution of private liens, the PSC respectfully requests that the Court enter the proposed order attached hereto as Exhibit A as soon as practicable..

Dated: March 2, 2016

Respectfully submitted,

/s/ Kristen A. Johnson

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Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, Kristen A. Johnson, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: March 2, 2016

/s/ Kristen A. Johnson
Kristen A. Johnson, BBO # 667261